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JUN 23 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)	MM DOCKET NO. 92-107
)	
BIBLE BROADCASTING NETWORK, INC.)	File No. BPED-900816MA
Channel 209A)	
Fort Smith, Arkansas)	
)	
NATIONAL CHRISTIAN NETWORK, INC.)	File No. BPED-900823MA
Channel 207C2)	
Fayetteville, Arkansas)	
)	
For Construction Permit)	
for a New Noncommercial)	
Educational FM Station)	

To: Administrative Law Judge
Walter C. Miller

MASS MEDIA BUREAU'S COMMENTS ON
JOINT PETITION FOR LEAVE TO AMEND
AND FOR APPROVAL OF JOINT SETTLEMENT AGREEMENT

1. On June 12, 1992, Bible Broadcasting Network, Inc. ("Broadcasting") and National Christian Network, Inc. ("National") (hereinafter, collectively, "Petitioners") filed a Joint Petition for Leave to Amend and for Approval of Joint Settlement Agreement. On June 19, 1992, Broadcasting filed a Supplement thereto. The Mass Media Bureau submits the following comments.

2. Petitioners seek to amend each of their respective technical proposals with a view towards eliminating the mutual exclusivity between them thus permitting the grant of both of the above-captioned applications. The Bureau's engineering staff has

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analyzed the proffered amendments and has concluded that they conform with the Commission's technical standards. Acceptance of the amendments would obviate the mutual exclusivity between the applications and lead to the expedited grant of both. Thus, there is good cause for accepting the amendments.

3. Because the amendments will result in the grant of both applications without hearing, there is no need for approval of the settlement agreement. That settlement agreement does not contemplate the payment of any consideration. We submit that the Joint Petition, as supplemented on June 19, 1992, complies with the requirements of Sections 73.3525 of the Commission's Rules. Accordingly, we interpose no objection to approval of the instant settlement.

4. Finally, we note that contingent environmental issues have been specified against both applicants. By letter dated June 18, 1992, the Assistant Chief, Audio Services Division has asked that the contingent environmental issue be deleted as to Broadcasting. The construction permit should be subject to the following condition:

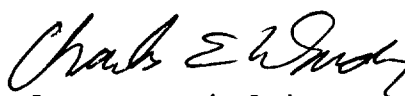
THE AUTOMATIC PROGRAM TEST PROVISIONS OF 47 C.F.R. § 73.1620 DO NOT APPLY IN THIS CASE. A FORMAL REQUEST FOR PROGRAM TEST AUTHORITY MUST BE FILED IN CONJUNCTION WITH FCC FORM 302, APPLICATION FOR LICENSE, BEFORE PROGRAM TESTS WILL BE AUTHORIZED. This request should be made at least 10 days prior to the date on which program tests are desired to commence. This request must contain documentation which demonstrates compliance with the following special operation condition:


Prior to commencement of construction, the permittee shall certify that an agreement is in effect requiring all stations to reduce power or cease operations as necessary to assure worker safety with respect to radiofrequency radiation when maintenance is to be performed at the site.

Documentation demonstrating compliance with the ANSI radiofrequency radiation limit may be submitted in advance of the filing of FCC Form 302. The Commission's staff will review it for compliance and respond by letter stating whether automatic PTA has been reinstated.

By Supplement filed June 19, 1992, Broadcasting indicates its acceptance of the above-stated condition. Thus, its application can be granted. Grant of the National application should be deferred until the Bureau has acted upon the environmental matter pertaining to that application.

Respectfully submitted,
Roy J. Stewart
Chief, Mass Media Bureau


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Chief, Hearing Branch


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June 23, 1992

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch Mass Media Bureau, certifies that she has, on this 23rd day of June, 1992, sent by regular United States mail, U.S. Government frank, copies of the foregoing "Mass Media Bureau's Comments on Joint Petition for Leave to Amend and for Approval of Joint Settlement Agreement" to:

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